

REMARKS

The Office Action mailed February 27, 2007, has been received and reviewed. By the present Response, Claims 11-27 are amended. Currently pending in the application, then, are Claims 11-27, of which Claims 10, 15, 21, and 23 are independent. No new matter is introduced.

Claim Objections

Claims 10, 11, 13, 15-18, 20-22, and 26 stand objected to for various informalities. Appropriate formal amendments have been made, and the Applicant believes that all of these objections are now overcome.

In addition, the Applicant has voluntarily made additional formal amendments for clarity, without narrowing the scope of any claim. These additional formal amendments include substituting “said” for “the” (throughout the claims), substituting “at least one” for “a” (Claims 10, 14, 15, 19, 20, 23, and 27), and providing uniformity in the use of the plural tense (Claims 10, 13-16, 19-21, 23, 26, and 27).

Claim Rejections Under Section 112

Claims 18 and 20-27 stand rejected under 35 USC § 112 as being indefinite. Regarding Claims 18 and 20, the Examiner points out that “in order to distribute charitable amounts, the coin collection and retention device would have to be first accepted from the consumers.” The Applicant respectfully submits that the device could be retained by the consumer (e.g., for reuse or use in storing other items), recycled, or discarded, with only the coins being “accepted.” Claim 15 includes the step of “distributing” charitable amounts of the coins, so it is inherent, clear, and definite that the coins were first accepted, and this specific step need not be explicitly recited. The additional “accepting” step recited in Claims 18 and 20 further defines the method including the step of accepting the devices containing the coins. Accordingly, the Applicant respectfully submits that these claims as written are definite, and that the rejection of these claims is traversed.

Regarding Claims 21-27, independent Claim 21 has been amended to remove the phrase “and/or” and reword the claim to recite the identical scope, and Claims 22-27 depend from Claim 21. So Claims 21-27 are now believed to be sufficiently definite, and the Applicant believes that this objection is now overcome.

Claim Rejections Under Section 103

Claims 21-27 stand rejected under 35 USC § 103 as being unpatentable over Silcox (USPN D304,644) in view of Ricciardi (USPN 2,731,226). Claims 23-26 have been indicated to be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Independent Claim 21 is amended to include all of the limitations of Claim 25. In addition, Claim 21 is amended to delete that the advertising, promoting, or providing of information relating to the commercial and charitable entities is on the *exterior* of the device. And Claim 26 is amended to recite that the advertising, promoting, or providing of information is on the device’s exterior, interior, or both. Accordingly, amended independent Claim 21 is believed to be in condition for allowance. And Claims 22, 26, and 27, which depend from Claim 21, are now also in condition for allowance.

Claim 23 has been rewritten in independent form to include *almost* all of the limitations of base Claim 21 and *almost* all of the limitations of intervening Claim 22. In particular, Claim 23 does not include the limitation from Claim 21 that the advertising, promoting, or providing of information is on the device’s *exterior*, as the advertising, promoting, or providing of information can be anywhere on the device. In addition, Claim 23 does not include the limitation from Claim 22 that the *devices and coins* are accepted, as only the *coins* themselves need be accepted to achieve the purpose and benefit of the method. Claim 25 is amended to be dependent from Claim 23. Accordingly, amended independent Claim 22 is believed to be in condition for allowance. And Claims 24 and 25, which depend from Claim 22, are also in condition for allowance.

CONCLUSION

In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,

/JWG/
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